

REMARKS

Claims 1-4, 7-8, 13-15, 17-24 and 29-31 have been rejected under 35 U.S.C. §112, first and second paragraphs.

In response, applicants have amended claims 13 and 29, which are the only two independent claims, to more particularly point out and distinctly claim the present invention.

It is respectfully submitted that the revisions to claims 13 and 29 overcome the Section 112 rejections.

In addition, applicants have amended claims 1, 4, 8, 19, 22 and 24 to comply with the changes to claims 13 and 29. These changes are not related to the patentability of the claims.

Accordingly, applicants respectfully request withdrawal of the pending rejections and allowance of claims 1-4, 7-8, 13-15, 17-24 and 29-31.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), applicants hereby petition for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1,020.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

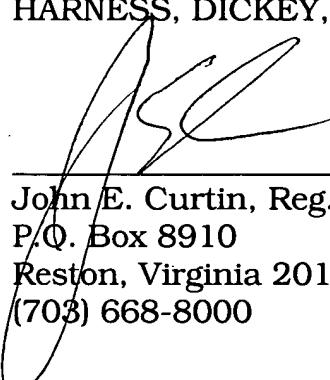
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By


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ABSTRACT OF THE DISCLOSURE

Uplinked and downlinked transmissions in an interference-limited system, such as a cellular network, are prioritized and authorized by channel quality/data rate to minimize interference.